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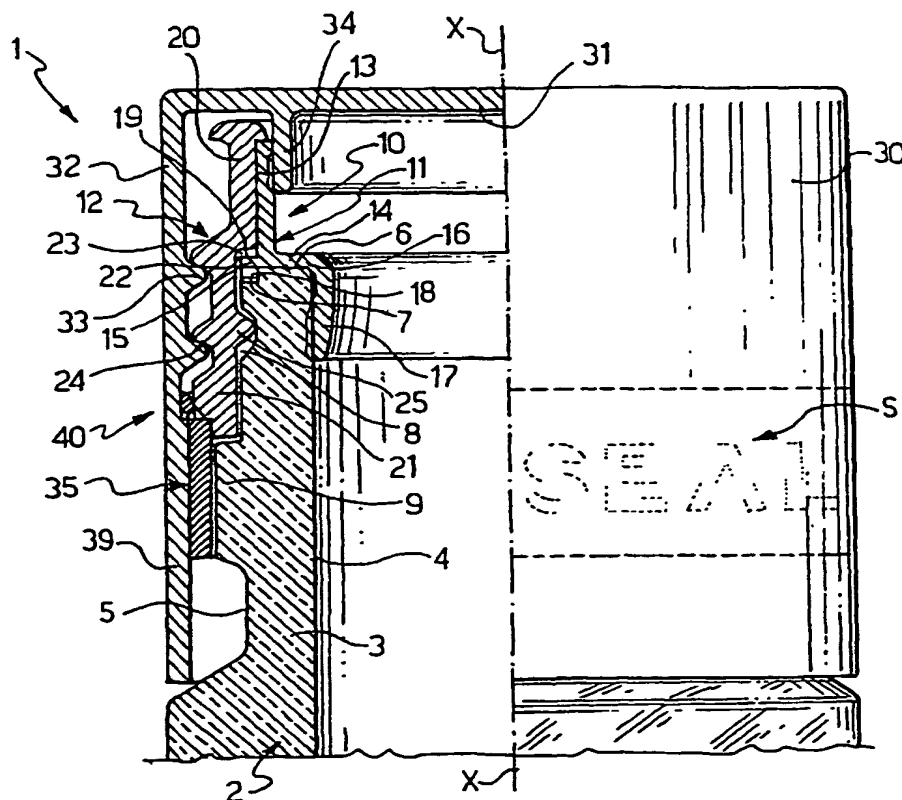
PCT

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- (51) International Patent Classification<sup>7</sup>: B65D 41/34, 47/12, 47/06 (72) Inventor; and  
(75) Inventor/Applicant (for US only): BATTEGAZZORE, Piero [IT/IT]; Via Galileo Galilei, 74, I-15100 Alessandria (IT).
- (21) International Application Number: PCT/IT00/00357
- (22) International Filing Date: 12 September 2000 (12.09.2000) (74) Agents: MACCALLI, Marco et al.; Jacobacci & Perani S.p.A., Via Senato, 8, I-20121 Milano (IT).
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- (26) Publication Language: English
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- (71) Applicant (for all designated States except US): GUALA CLOSURES S.P.A. [IT/IT]; Via San Giovanni Bosco, 53/55, I-15100 Alessandria (IT).

[Continued on next page]

(54) Title: CLOSURE, PARTICULARLY FOR BOTTLES OF TOP-QUALITY LIQUORS



(57) Abstract: A closure (1) particularly for a bottle (2) for a good-quality liquor which renders the difference between an intact bottle and a wrongfully opened bottle unusually clear, comprises a pourer body (10) of predetermined axis fixed axially and angularly to the bottle (2), a cap (30) having a skirt (32) screwed onto the pourer body, a sleeve (35) in at least two portions extending around the bottle (2), and a tubular appendix (39) forming an extension of the skirt (32) of the cap (30) and extending around the sleeve (35) in order to keep the at least two portions juxtaposed.

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patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

*For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*

**Published:**

— *With international search report.*

## DESCRIPTION

## CLOSURE, PARTICULARLY FOR BOTTLES OF TOP-QUALITY LIQUORS

The present invention relates to a closure,  
5 particularly for a bottle for a good-quality liquor, of  
the type comprising a pourer body of predetermined axis,  
fixed axially and angularly to the bottle, and a cap  
having a skirt which is screwed onto the pourer body.

As is known, in a closure of this type, efforts are  
10 always made to make clear to a purchaser visually that a  
bottle put on sale has wrongfully or fraudulently been  
opened by an unauthorized person.

For this purpose, a closure which is in use has a  
cap that is made of aluminium sheet and is screwed onto  
15 the pourer body in a manner such that, when it is  
unscrewed, the cap is separated from a band as a result  
of breakage along a line of weakening. Although this  
closure is advantageous from various points of view and  
is widely used, it leaves something to be desired from  
20 the point of view of showing that opening has taken  
place. The aluminium band in fact remains substantially  
in the vicinity of the cap once the bottle has been  
reclosed after opening.

The problem upon which the present invention is  
25 based is that of devising a closure of the type specified

which has structural and functional characteristics such as to overcome the above-mentioned disadvantage, that is, to render clearly visible the difference between an intact bottle and a bottle which has been opened in an unauthorized manner.

This problem is solved by a closure of the type specified which is characterized in that it comprises a sleeve composed of at least two portions extending around the bottle, and a tubular appendage or appendix forming an extension of the skirt of the cap and extending around the sleeve in order to keep the at least two portions juxtaposed.

Further characteristics and the advantages of the closure according to the present invention will become clear from the following description of a preferred embodiment thereof given by way of non-limiting example with reference to the appended drawings, in which:

Figure 1 is a partially-sectioned, elevational view of a closure according to the invention,

Figure 2 shows a detail of the closure of Figure 1, in section and on an enlarged scale, and

Figure 3 shows the closure of Figure 1 with parts separated.

With reference to the appended drawings, a closure for a bottle 2, preferably but not exclusively a bottle

intended to contain a good-quality liquor, is generally indicated 1.

The bottle 2 comprises a neck of axis X-X, which is defined by an inner surface 4, by an outer surface 5, and  
5 by a flat top 6.

In the flat top 6, towards the outer surface 4, the bottle has a recess 7, for example, located circumferentially at a point.

A groove 8 and a collar 9 are formed in the outer  
10 surface 5.

The closure 1 comprises a pourer body 10 of axis X-X, associated coaxially with the neck 3 of the bottle 2 and fixed axially and angularly to the bottle.

The pourer body 10 comprises an inner body 11 and an  
15 outer body 12 fixed together in the manner which will be described below.

The inner body 11, of axis X-X, comprises a tubular portion 13, a flange portion 14, projecting from the tubular portion 13 with an outer portion 15 and an inner  
20 portion 16, and a tubular portion 17.

The flange portion 14 lies on the flat top 6. A tooth 18 projects from the outer portion 15 and engages the recess 7. A tooth 19 projects from the opposite side of the outer portion 15 to the tooth 18 and is located at  
25 a point.

The tubular portion 17 engages the inner surface 4 of the neck 3 with predetermined force.

The outer body 12 comprises a tubular portion 20 and a larger-diameter tubular portion 21, defining an inner  
5 shoulder 22.

A recess 23 is formed in the inner shoulder 22 and the tooth 19 is engaged therein.

A thread 24 is formed externally on the larger-diameter tubular portion 21 of the outer body 12.

10 An annular projection 25 formed internally in the tubular portion 21, is in engagement in the groove 8 in order to restrain the outer body 12 and the inner body 11 on the bottle 2.

The tubular portion 13 of the inner body 11 and the  
15 tubular portion 20 of the outer body 12 are juxtaposed coaxially. The tubular portion 17 of the inner body 11 and the tubular portion 21 of the outer body 12, on the other hand, are spaced apart and define an annular space 26 for housing the neck 3 of the bottle.

20 A step 27 is formed in the tubular portion 21, defining a shoulder 28 and a locating portion 29 having an outside diameter substantially equal to the outside diameter of the collar 9.

The closure 1 further comprises a cap 30 which  
25 comprises a top 31 and a tubular skirt 32. The tubular

skirt 32 has an internal thread 33 engaged with the thread 24 by screwing. A tubular projection 34 projecting from the top 31 is in leaktight engagement with the inner body 11 of the pourer body 10.

5       The closure 1 according to the invention also comprises a sleeve 35 of axis X-X, which is formed in at least two portions. In the embodiment shown, the sleeve 35 is formed in two portions, that is, it is constituted by a half-sleeve 36 and a half-sleeve 37. The two half-  
10 sleeves 36 and 37 are juxtaposed to form the sleeve 35.

      The sleeve 35 extends around the bottle 2 substantially at the level of the collar 9 and also extends around the outer body 12 of the pourer body 10, substantially at the level of the locating portion 29. It  
15 should be noted that an end 38 of the sleeve 35 abuts the shoulder 28.

      The closure 1 according to the invention also comprises a tubular extension 39 which is integral with the skirt 32 and forms an extension of the skirt 32. The  
20 tubular extension 39 constitutes a hoop relative to the sleeve 35 and keeps its two portions, that is, the two half-sleeves 36 and 37, juxtaposed.

      The cap and its tubular extension are preferably made of a transparent plastics material, for example,  
25 polystyrene or polycarbonate.

As for the sleeve 35, it is preferably made of a plastics material of a bright colour, for example red, and bears visible accentuating marks S formed in high relief, in low relief, by painting, by printing, or by  
5 perforations in the solid material.

The accentuating marks S are advantageously representative of an intact state of the closure and hence of a sealed state of the bottle.

Breakable means 40 of engagement between the sleeve  
10 35 and the tubular extension 39 are advantageously provided in the closure 1 according to the invention. In particular, the breakable engagement means 40 comprise a ring 41 of axis X-X, coaxial with the sleeve 35 and associated therewith by means of a line of weakening 42.  
15 The line of weakening 42 takes the form of six equiangularly spaced breakable bridges 43 extending between the ring 41 and the end 38 of the sleeve.

It should be noted that, between the outer body 12 of the pourer 10 and the tubular extension 39, there is a  
20 short space E through which the ring 41 is inserted by force so as to occupy a recess 44 formed in the tubular extension 39 and delimited by a shoulder 45.

The shoulder 28 and the shoulder 45 are substantially at the same level and the space E is also  
25 at the same level, with the breakable bridges 43



extending across it.

To favour the forced insertion of the ring 41 in the recess 44 through the space E, lead-in chamfers, indicated 46 and 47, respectively are provided in the  
5 ring 41 and in the outer body 12.

When the closure 1 is unscrewed for the first time, the cap 30 moves upwards away from the pourer body 10. As soon as contact takes place between the shoulder 45 and the ring 41, there is an increase in the unscrewing  
10 effort which is perceived by the user as a security element. As the unscrewing effort continues, the line of weakening 42 breaks and the cap 30 can be removed. As soon as the cap 30 is removed, the hoop effect of the tubular extension 39 on the sleeve is lost and the two  
15 half-sleeves separate and fall to the ground.

If the cap 30 is screwed on again in an attempt re-establish the intact state of the bottle, the absence of the sleeve remains apparent and extremely obvious and the fact that unauthorized opening has taken place is sure to  
20 be noticed by the purchaser so that the attempt fails.

In other words, in operation, when the bottle is opened for the first time, the sleeve is released as a result of the unscrewing and removal of the cap so that the two half-sleeves fall to the ground and are lost.  
25 Subsequent reclosure of the cap leaves an obvious great

difference between the opened bottle and intact bottles which have never been opened, precisely owing to the absence of the sleeve.

The main advantage of the closure according to the present invention lies in the unusual difference between the intact condition and the wrongfully or fraudulently opened condition of the bottle.

A further advantage of the closure according to the present invention is that it is comfortable during the opening operation. There is in fact a progression from an initial small effort to a greater effort which indicates that a security element has been overcome and, finally, a return to a small effort to complete the unscrewing.

A further advantage of the closure according to the present invention lies in the fact that the sleeve in at least two portions, which is visible from the exterior, can be formed by aesthetically pleasing elements so as to show off to further advantage the liquor bottle for which the closure is intended.

Finally, a further advantage of the closure according to the present invention is that it is structurally simple and can therefore be produced on a large or very large scale.

Naturally, in order to satisfy contingent and specific requirements, an expert in the art may apply to

the above-described embodiment of the closure, many modifications and variations all of which, however, are included within the scope of protection of the invention as defined by the following claims.

## CLAIMS

1. A closure, particularly for a bottle for a good-quality liquor, of the type comprising a pourer body of predetermined axis, fixed axially and angularly to the bottle, and a cap having a skirt which is screwed onto the pourer body, characterized in that it comprises a sleeve composed of at least two portions extending around the bottle, and a tubular appendix forming an extension of the skirt of the cap and extending around the sleeve in order to keep the at least two portions juxtaposed.

2. A closure according to Claim 1, characterized in that it comprises a shoulder carried by the pourer body for restraining the sleeve axially, and breakable means of engagement between the sleeve and the tubular appendix.

3. A closure according to Claim 2, characterized in that the breakable engagement means comprise a ring associated with the sleeve by means of a line of weakening and a shoulder on the tubular appendix for restraining the ring axially.

4. A closure according to Claim 3, characterized in that the shoulder of the pourer body and the shoulder of the skirt are at the same level.

5. A closure according to Claim 4, characterized in that it comprises a short space formed between the

tubular appendix and the pourer body at the level of the shoulders to permit the forced insertion of the ring in an annular recess of the tubular appendix delimited by the shoulder.

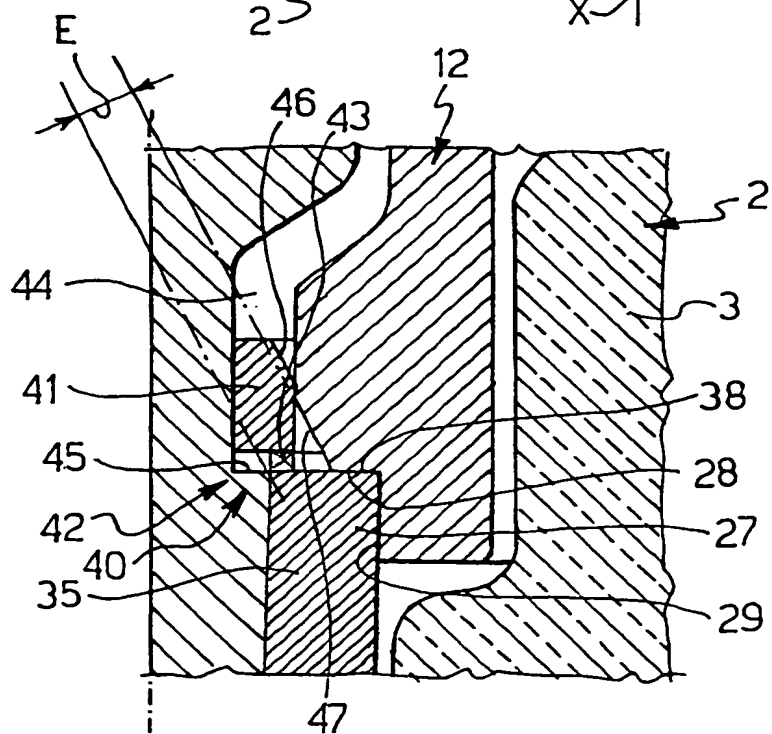
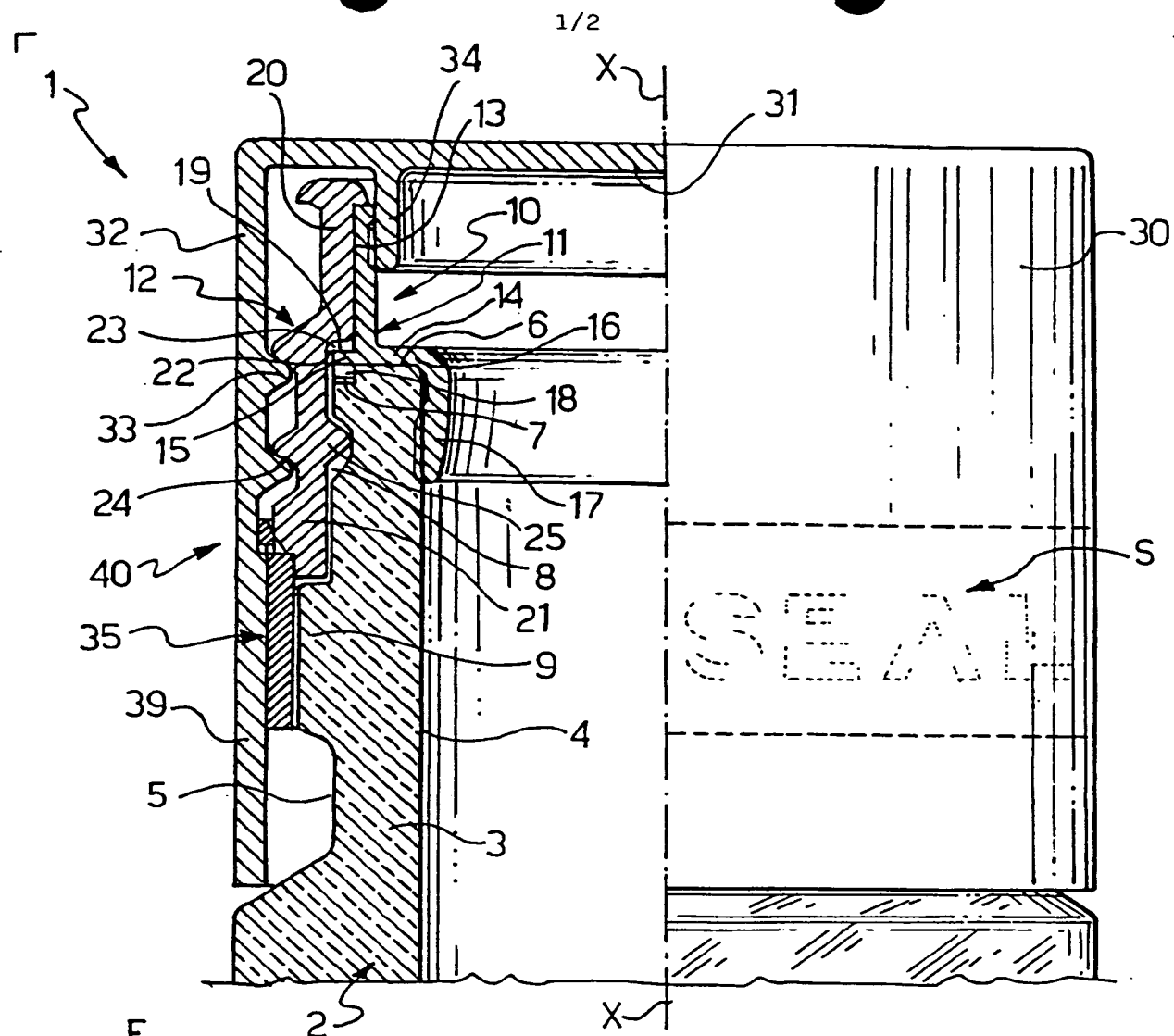
5           6. A closure according to Claim 5, characterized in that the tubular appendix of the cap is transparent and the sleeve is brightly coloured.

          7. A closure according to Claim 6, characterized in that it comprises visible marks carried by the sleeve.

10          8. A closure according to Claim 7, characterized in that the visible marks are in high relief, in low relief, or produced by painting, by printing or by perforations in solid material, and are representative of an intact state of the closure.

15          9. A closure according to Claim 1, characterized in that the pourer body comprises an inner body and an outer body having respective juxtaposed portions and respective portions which are spaced apart and define a space for housing a neck of the bottle.

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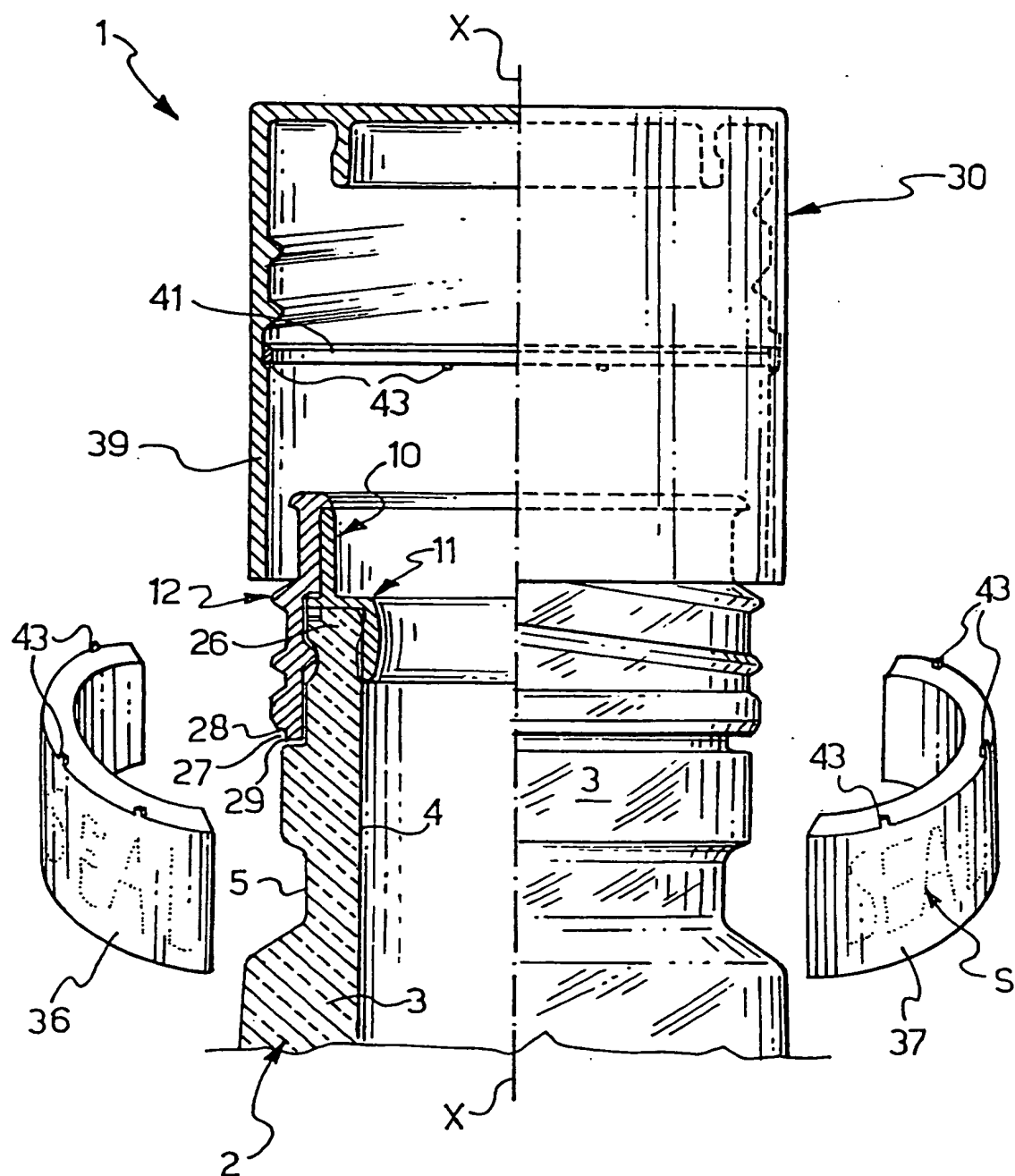


FIG.3

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# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>E046351-PC</b>	<b>FOR FURTHER ACTION</b> <small>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</small>	
International application No. <b>PCT/IT 00/ 00357</b>	International filing date (day/month/year) <b>12/09/2000</b>	(Earliest) Priority Date (day/month/year) <b>27/09/1999</b>
Applicant  <b>GUALA CLOSURES S.P.A. et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 03 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

**CLOSURE, PARTICULARLY FOR BOTTLES OF TOP-QUALITY LIQUORS**

5. With regard to the **abstract**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

1 \_\_\_\_\_  
☐ None of the figures.

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## Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

ln.1 :...closure (1)...bottle (2)...

ln.4 :...body (10)...

ln.5 :...bottle (2), a cap (30)...

ln.6 :...skirt (32)...sleeve (35)...

ln.7 :...bottle (2)...

ln.8 :...appendix (39)...skirt (32) of the cap (30)...

ln.9 :...sleeve (35)...

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## INTERNATIONAL SEARCH REPORT

International Application No

PCT/IT 00/00357

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 B65D41/34 B65D47/12 B65D47/06

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 B65D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	GB 2 240 098 A (D. MONTGOMERY & SON LTD.) 24 July 1991 (1991-07-24) page 5, line 2 -page 8, line 11; figures 1-11 ----	1
A	GB 2 172 273 A (BORMIOLI METALPLAST S.P.A.) 17 September 1986 (1986-09-17) figures 1,2 ----	1
A	GB 2 176 467 A (ANGELO GUALA S.P.A.) 31 December 1986 (1986-12-31) page 1, line 91 -page 2, line 33; figures 1-3 ----	1
A	FR 2 263 165 A (ANGELO GUALA S.P.A.) 3 October 1975 (1975-10-03) page 6, line 22 -page 7, line 13; figures 1-5 -----	1



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

## \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*G\* document member of the same patent family

Date of the actual completion of the international search

14 December 2000

Date of mailing of the international search report

21/12/2000

Name and mailing address of the ISA

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Authorized officer

Berrington, N

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# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IT 00/00357

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
GB 2240098	A	24-07-1991	NONE	
GB 2172273	A	17-09-1986	NONE	
GB 2176467	A	31-12-1986	BR 8602220 A ES 294037 U IE 57263 B MX 168134 B	13-01-1987 16-10-1986 17-06-1992 06-05-1993
FR 2263165	A	03-10-1975	IT 1011550 B AR 203899 A AT 344033 B AT 148775 A BE 826300 A BR 7501348 A CA 1032899 A DE 2508388 A ES 210312 Y GB 1459980 A JP 50127782 A JP 54027791 B NL 7502554 A SU 564799 A US 3937348 A	10-02-1977 31-10-1975 26-06-1978 15-10-1977 30-06-1975 30-11-1976 13-06-1978 18-09-1975 01-10-1976 31-12-1976 08-10-1975 12-09-1979 09-09-1975 05-07-1977 10-02-1976

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## PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

SINISCALCO, Fabio  
Jacobacci & Partners S.p.A.  
Via Senato, 8  
I-20121 Milano  
ITALIE

Date of mailing (day/month/year) 09 October 2001 (09.10.01)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference E046351-PC	
International application No. PCT/IT00/00357	International filing date (day/month/year) 12 September 2000 (12.09.00)

## 1. The following indications appeared on record concerning:

☐ the applicant      ☐ the inventor      ☒ the agent      ☐ the common representative

## Name and Address

MACCALLI, Marco  
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Italy

## State of Nationality

## State of Residence

## Telephone No.

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## 2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person      ☒ the name      ☐ the address      ☐ the nationality      ☐ the residence

## Name and Address

SINISCALCO, Fabio  
Jacobacci & Partners S.p.A.  
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Italy

## State of Nationality

## State of Residence

## Telephone No.

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## Facsimile No.

39 02 794925

## Teleprinter No.

## 3. Further observations, if necessary:

## 4. A copy of this notification has been sent to:

☒ the receiving Office      ☐ the designated Offices concerned  
☐ the International Searching Authority      ☒ the elected Offices concerned  
☒ the International Preliminary Examining Authority      ☐ other:

<p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No.: (41-22) 740.14.35</p>	<p>Authorized officer</p> <p>R. Chrem</p> <p>Telephone No.: (41-22) 338.83.38</p>
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## PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

PERANI, Aurelio  
Perani Mezzanotte & Partners  
Piazza San Babila, 5  
I-20122 Milano  
ITALIEDate of mailing (day/month/year)  
23 October 2001 (23.10.01)Applicant's or agent's file reference  
CH CAMP/APE/9059

## IMPORTANT NOTIFICATION

International application No.  
PCT/IT00/00357International filing date (day/month/year)  
12 September 2000 (12.09.00)

## 1. The following indications appeared on record concerning:

☐ the applicant ☐ the inventor ☒ the agent ☐ the common representative

## Name and Address

SINISCALCO, Fabio  
Jacobacci & Partners S.p.A.  
Via Senato, 8  
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Italy

## State of Nationality

## State of Residence

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## 2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person ☐ the name ☐ the address ☐ the nationality ☐ the residence

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Italy

## State of Nationality

## State of Residence

## Telephone No.

39 02 76 31 61 61

## Facsimile No.

39 02 76 31 76 19

## Teleprinter No.

## 3. Further observations, if necessary:

## 4. A copy of this notification has been sent to:

☒ the receiving Office ☐ the designated Offices concerned  
☐ the International Searching Authority ☒ the elected Offices concerned  
☐ the International Preliminary Examining Authority ☐ other:The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

## Authorized officer

Anman QIU

Facsimile No.: (41-22) 740.14.35

Telephone No.: (41-22) 338.83.38

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## PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

To:

PERANI, Aurelio  
Perani Mezzanotte & Partners  
Piazza San Babila, 5  
I-20122 Milano  
ITALIERECEIVED  
SEP 25 2002  
TECHNOLOGY CENTER R3700

Date of mailing (day/month/year) 03 July 2002 (03.07.02)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference CH CAMP/APE/9059	
International application No. PCT/IT00/00357	International filing date (day/month/year) 12 September 2000 (12.09.00)

## 1. The following indications appeared on record concerning:

☒ the applicant      ☐ the inventor      ☐ the agent      ☐ the common representative

## Name and Address

GUALA CLOSURES S.P.A.  
Via San Giovanni Bosco, 53/55  
I-15100 Alessandria  
Italy

## State of Nationality

IT

## State of Residence

IT

Telephone No.

Facsimile No.

Teleprinter No.

## 2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

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## Name and Address

GUALA CLOSURES S.P.A.  
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Italy

## State of Nationality

IT

## State of Residence

IT

Telephone No.

Facsimile No.

Teleprinter No.

## 3. Further observations, if necessary:

The applicant indicated in Box 1 was merged by LUNA S.P.A. and LUNA S.P.A. changed its name to GUALA CLOSURES S.P.A.

## 4. A copy of this notification has been sent to:

☒ the receiving Office      ☐ the designated Offices concerned  
☐ the International Searching Authority      ☒ the elected Offices concerned  
☐ the International Preliminary Examining Authority      ☐ other:
The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

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Akiko KOYAMA

Facsimile No.: (41-22) 740.14.35

Telephone No.: (41-22) 338.83.38

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## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
 US Department of Commerce  
 United States Patent and Trademark  
 Office, PCT  
 2011 South Clark Place Room  
 CP2/5C24  
 Arlington, VA 22202  
 ETATS-UNIS D'AMERIQUE  
 in its capacity as elected Office

Date of mailing (day/month/year) 11 June 2001 (11.06.01)	
International application No. PCT/IT00/00357	Applicant's or agent's file reference E046351-PC
International filing date (day/month/year) 12 September 2000 (12.09.00)	Priority date (day/month/year) 27 September 1999 (27.09.99)
Applicant BATTEGAZZORE, Piero	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
 23 April 2001 (23.04.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was  
☐ was not

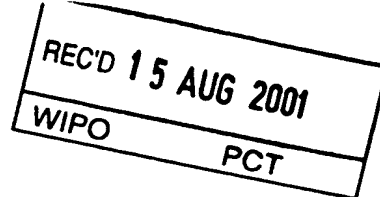
made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Olivia TEFY Telephone No.: (41-22) 338.83.38
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# PATENT COOPERATION TREATY

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## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

14

Applicant's or agent's file reference <b>E046351-PC</b>	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. <b>PCT/IT00/00357</b>	International filing date ( <i>day/month/year</i> ) <b>12/09/2000</b>	Priority date ( <i>day/month/year</i> ) <b>27/09/1999</b>
International Patent Classification (IPC) or national classification and IPC <b>B65D41/34</b>		
Applicant <b>GUALA CLOSURES S.P.A. et al.</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I    ☒ Basis of the report
- II   ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V   ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand  <b>23/04/2001</b>	Date of completion of this report  <b>15.08.2001</b>
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized officer  <b>Berrington, N</b>  Telephone No. +31 70 340 3314



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# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IT00/00357

## I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):  
**Description, pages:**

1-9 as originally filed

### **Claims, No.:**

1-9 as originally filed

### **Drawings, sheets:**

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

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# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IT00/00357

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Yes:	Claims	1-9
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-9
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-9
	No:	Claims	

### 2. Citations and explanations see separate sheet

## VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:  
see separate sheet

## VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:  
see separate sheet

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**Re V.**

**V.1**

Document GB 2240098A discloses a closure according to the preamble of claim 1 and further comprising a sleeve composed of at least two portions extending around the bottle. The problem to be solved by the remaining features of claim 1 is to deter, in a more effective manner, tampering of the container upon which such a closure will be placed.

This problem is solved by forming an extension of the cap skirt so that it extends around the sleeve in order to keep the two portions juxtaposed. This construction has the advantages that i) it is more difficult for a tamperer to access the sleeve since it is covered by the sleeve, and ii) there is less risk of the sleeve breaking during initial application of the closure onto the bottle.

**V.2**

Since claims 2-9 are dependent on novel and inventive claim 1, the subject-matter of these claims is automatically considered to be both novel and inventive.

**Re VII.**

**VII.1**

Although claim 1 is drafted in the two-part form, the features "a sleeve composed of at least two portions extending around the bottle" in the characterising portion are disclosed in document GB 2240098A in combination with the features disclosed in the preamble. These features should have been transferred from the characterising portion of the claim to the preamble.

**VII.2**

Reference signs in parentheses should have been inserted in the claims to increase their intelligibility, Rule 6.2(b) PCT. This applies to both the preamble and characterising portion.

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**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/IT00/00357

**VII.3**

To meet the requirements of Rule 5.1(a)(ii) PCT, the documents GB 2240098A and GB 2176467A should have been identified in the description and the relevant background art disclosed therein briefly discussed.

**Re VIII.**

**VIII.1**

It should have been made clear in the claims that the sleeve is located entirely within the cap in order to clearly distinguish the subject-matter of claim 1 from the device indicated in GB 2240098A.

**VIII.2**

The expression "many modifications and variations all of which are included within the scope of the invention" is unclear since the scope of protection is defined by the claims and it would not be clear whether all variations/modifications would fall within the scope of the claims.

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